

**CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT**

**STAFF REPORT
LAND USE PLAN AMENDMENT CASE 13-01
ZONING CASE 13-08
November 12, 2013**

Requests		
Applicant: High Point University	Owner: High Point University and Juan & Linda Gomez	
LUPA Proposal: To change the future land use designation for approximately 8.8 acres to an Institutional land use designation	From:	Low Density Residential
	To:	Institutional
Zoning Proposal: To rezone approximately 8.3 acres	From:	RS-7 Residential Single Family-7 District
	To:	CZ PI Conditional Zoning Public & Institutional District

Site Information		
Location:	The site consists primarily of a two (2) block area bounded by Montlieu Avenue, N. Centennial Street, Barbee Avenue and Fifth Street (private street).	
Tax Parcel Numbers:	Plan Amendment	Zoning Request
	Guilford County Tax Parcels 0190022 thru 0190059	Same, except tax parcels 0190031 and 0190053 are not part of zoning application
Site Acreage:	Plan Amendment	Zoning Request
	Approximately 8.8 acres.	Approximately 8.3 acres
Current Land Use:	Plan Amendment	Zoning Request
	Single family dwellings and undeveloped parcels	Same
Physical Characteristics:	The site has a gently sloping terrain.	
Water and Sewer Proximity:	Lying adjacent to the site, within the abutting public streets and private drives, are 6-inch and 8-inch City water lines and City sewer lines.	
General Drainage and Watershed:	The site drains in a southerly direction towards Barbee Avenue. Development is subject to the City Lake General Watershed Area requirements of the water supply watershed regulations. Engineered stormwater measures are required for non-residential or multifamily developments with an impervious surface area that is greater than 24% or more of the site.	
Overlay District:	City Lake General Watershed Area (GWA)	

Adjacent Property Zoning and Current Land Use			
North:	CU-PI CZ-PI	Conditional Use Public & Institutional District Conditional Zoning Public & Institutional District	High Point University campus (<i>across Montlieu Avenue</i>)
South:	RS-7	Residential Single Family-7 District	Single family residential dwellings
East:	RS-7	Residential Single Family-7 District	Undeveloped parcels (<i>across Fifth Street</i>)
West:	RS-7	Residential Single Family-7 District	Former private school (<i>across N. Centennial Street</i>)

Adjacent Land Use Designations	
North:	Institutional
South:	Low Density Residential
East:	Low Density Residential
West:	Low Density Residential

Purpose of Existing and Proposed Land Use Designations	
Existing Designation:	Low-Density Residential: These areas include primarily single family detached dwellings on individual lots. Development densities in these areas shall not exceed five dwelling units per gross acre.
Proposed Designation:	Institutional: Public, quasi-public and institutional uses on large tracts are included in this classification.

Relevant Land Use Policies and Related Zoning & LUPA History	
Community Growth Vision Statement	Goal 1: Obj. 1H: Support the continued growth of the City's educational institutions for their many educational, cultural and economic benefits.
Land Use Plan Goals, Objectives & Policies:	The following goal and objectives of the Land Use Plan are relevant to this request: Goal #2: Encourage development that enhances and preserves established neighborhoods.
Relevant Area Plan(s):	<p>Core City Plan <u>Neighborhood Planning Principles – Discernible Boundaries:</u> Do not allow neighborhoods to get chipped away at their edges by incompatible uses and development forms. Employ design measures to accentuate their boundaries through features such as gateway treatments and street tree plantings.</p> <p>University Area Plan <u>Goal 1:</u> Ensure residents in the University area have information about future University expansion plans, so they can make informed decisions about investing in their properties.</p> <p><u>Policy 2.1:</u> Create a University document that provides locations and future uses with a timetable for expansions so that future infrastructure needs can be accommodated.</p>

	<p><u>Goal 3:</u> Ensure compatibility between the edge of campus and the surrounding neighborhood.</p> <p><u>Policy 3.5:</u> Transition the intensity of uses along the campus edge adjacent to existing residences.</p> <ul style="list-style-type: none"> ii. Prevent the spillover of light and glare from outdoor lighting onto adjacent properties by limiting the height, illumination, and direction of outdoor lighting. iii. Locate parking areas internal to campus, where possible, to minimize visual impacts on adjacent residential properties. They should be screened from view, and access to the parking areas should be from internal campus driveways and not directly from local residential streets to minimize cut-through traffic in the residential neighborhood. iv. A combination of fencing and landscaping can be used to soften the edges, however solid fencing is typically discouraged along public streets. vi. Consider reusing structures along the campus edges for housing, administrative offices, or other University uses. <p><u>Policy 3.6:</u> New campus development should be contiguous to the existing campus and consist of an entire sub-area. However, if a partial rezoning of a sub-area is requested, then a site plan must be submitted along with the rezoning request that demonstrates how the impacts on adjacent properties will be mitigated.</p> <p><u>Policy 3.7:</u> Mitigate the impacts of new campus development on adjacent properties through the provision of conditions with rezoning requests.</p> <p><u>Policy 4.4:</u> Demolition of viable single-family homes is discouraged if the University does not have an immediate need for new development. The University should not proceed with demolitions prior to receiving approval of a zoning action, unless conditions of the structure are deemed unsafe and warrant earlier removal. When demolition is deemed necessary, an effort should be made to salvage the architectural components of the structure prior to demolition.</p>
Zoning History and LUPA History:	<p>Since 1998, High Point University has received five (5) Land Use Plan Amendments and 16 zoning approvals for the area lying north of Montlieu Avenue and west of Panther Drive (former W. College Drive to accommodate the westward expansion of the University.</p>

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Montlieu Avenue	Major Thoroughfare	1,125 ft.
	N. Centennial Street	Major Thoroughfare	325 ft.
	Barbee Avenue	Local Street	1,020 ft.
	Fifth Street	Private Street	350 ft.
Vehicular Access:	Access is proposed to be taken from Montlieu Avenue, via Willoubar Terrance and Fifth Street (private street).		

Traffic Counts: (Average Daily Trips)	Montlieu Avenue N. Centennial Street	4,400 ADT 7,500 ADT
Estimated Trip Generation:	N/A	
Traffic Impact Analysis:	Required	
	<u>Yes</u>	<u>No</u> X
	None	
Pedestrian Access:	Development of the site is subject to the sidewalk requirements of the Development Ordinance.	

School District Comment

Not applicable to this zoning case.

Details of Proposal

High Point University desires to expand their campus to add a two (2) block area bounded by Montlieu Avenue, N. Centennial Street, Barbee Avenue and Fifth Street to use for parking. The site currently has a residential classification on the City's Land Use Plan Map and a single family residential zoning designation. In order to add this area to the campus, the University has submitted both a Land Use Map Amendment and Zoning Map Amendment application. The Land Use Map Amendment proposes to change the Land Use Plan classification of this area from Low Density Residential to Institutional. The Zoning Map Amendment proposes to rezone this area from its current RS-7 District to a CZ-PI District.

There are two properties within these blocks that are not owned by the University. The Land Use Plan Amendment submitted by the applicant requests the Institutional land use classification for property owned by the University. The Planning & Development Department added the two remaining properties (711 & 911 Barbee Avenue) to the amendment request. Amending the Land Use Plan classification of these parcels will not change its residential zoning or the property owners' right to continue to use them as single-family dwellings; however, it will provide consistent Land Use policy for these two blocks, if approved. Included with the zoning application is a conditional zoning ordinance that list conditions for development of the site and restrict use of the site to surface parking only. The two properties on Barbee Avenue (711 & 911 Barbee Avenue) will remain in RS-7 Districts.

This requested expansion of the campus is not consistent with all policies of the *University Area Plan*. This plan was adopted by the High Point City Council in December 2009 and it provides policies to help protect adjacent residential neighborhoods by guiding the orderly growth of the University. It is important to state that the *University Area Plan* is not a master plan for the University but rather a neighborhood plan. The purpose of the plan is to balance the goal of encouraging the University's growth and expansion with the goal of protecting the established neighborhoods surrounding the University and maintaining their stability.

In regards to the University's submittal, it is inconsistent with a principal policy of the *University Area Plan*. The rezoning site is outside the Growth Areas outlined by the plan for University expansion. These Growth Areas were established to increase predictability about future campus expansion so as to help maintain the stability of adjacent neighborhoods.

Staff Analysis

Section 9-3-13 of the Development Ordinance states that the Planning & Zoning Commission and the City Council shall be guided by the purposes and intent of the Ordinance, and shall give consideration to the following in the review and discussion of any Conditional Zoning application. Based on the applicant's submittal and proposed conditions, as they existed on the date of this report, the Planning and Development Department offers the following comments relative to these ordinance considerations.

Consistency with Adopted Plans:

The proposed Conditional Zoning District is appropriate for its proposed location and is consistent with the purposes, goals, objectives and policies of relevant comprehensive land use or area plans

Staff Comments:

The City's *Community Growth Vision Statement* encourages support for the continued growth of the City's educational institutions, including High Point University. The *University Area Plan* calls for the University to establish a more specific timeframe, location, and identification of needs to help with advance planning; and it identifies Growth Areas to increase predictability about future campus expansion to help maintain the stability of adjacent neighborhoods.

This submittal is the first expansion of the University outside the growth area defined in the *University Area Plan*. While the proposed expansion may be logical from the University's perspective, it does create uncertainty from the neighborhood perspective. If additional expansion of the campus outside these growth areas are anticipated by the University, then the City Council's policies, established in the *University Area Plan*, to protect the surrounding established neighborhoods will become irrelevant. Such action will lead to the further decline of these neighborhoods and its housing.

It is a policy goal of the City to support continued growth of the University for its many educational, cultural and economic benefits. However, additional goals set forth in City policy support protecting the established neighborhoods that surround the University. Expansion of the University onto this site is likely warranted to support the University's many programs. However, such additional unplanned expansions of the University campus will continue to chip away at these neighborhoods and accelerate their instability.

Review Factors:

The applicant's proposed Conditional Zoning District, including the proposed use(s), written conditions and Conditional Zoning Plan, satisfactorily meets or addresses the following:

<u>Factor #1</u>	Produces a development that is compatible with surrounding development character and land uses;
	<u>Staff Comments:</u> By its nature, the rezoning site becomes a new campus edge and should therefore be considered a Transition Area as defined in the <i>University Area Plan</i> . The intent of Transition Areas is to maintain the existing setting, if possible, to ensure compatibility with abutting residential areas. Because most of the houses in the subject area have already been demolished, the character of the area along the Montlieu Avenue frontage has already changed. The applicant has offered to

	restrict use of the zoning site to surface parking and had included conditions that 1) restricts vehicular access only from Montlieu Avenue, 2) provides for higher landscaping standards along Barbee Avenue and 3) conditions the placement of fencing and lighting along Barbee Avenue.
<u>Factor #2</u>	Minimizes or effectively mitigates any identified adverse impact on adjacent and nearby property, such as that caused by traffic, parking, noise, lighting, trash, loading areas, etc.; <u>Staff Comments:</u> The <i>University Area Plan</i> states that parking areas should be located internal to campus to help prevent negative impacts on adjacent neighborhoods. The applicant has offered to provide a wider planting yard and higher planting rate for landscaping along Barbee Avenue to diffuse the impact of headlights from vehicles. Additionally, they have offered to limit the height of lighting next to abutting single family dwellings.
<u>Factor #3</u>	Minimizes or effectively mitigates any identified adverse environmental impact on water and air resources, minimizes land disturbance, preserves trees and protects habitat; <u>Staff Comments:</u> Staff has not identified any environmental impacts based upon the proposed district; the site is within the City Lake General Watershed Area and development will be subject to watershed regulations.
<u>Factor #4</u>	Minimizes or effectively mitigates any identified adverse impact on municipal facilities and services, such as streets, potable water and wastewater facilities, parks, police and fire; and; <u>Staff Comments:</u> The site is within an area currently served by City of High Point utilities and municipal services and the submittal has no known impacts on municipal services. Conditions offered by the applicant to dedicate right-of-way at the intersection of N. Centennial Street and Montlieu Avenue will ensure future improvements to that street can be accomplished without impacting other perimeter improvements on the site (i.e. fencing & landscaping).
<u>Factor #5</u>	Minimizes or effectively mitigates any identified adverse effect on the use, enjoyment or value of adjacent properties. <u>Staff Comments:</u> As outlined in Factor #1 the applicant has offered conditions to offset impacts adjacent residential property owners.

Changes in the Area:

There have been changes in the type or nature of development in the area of the proposed Conditional Zoning District that support the application.

Staff Comments:

The applicant has purchased, or has under contract most of the property within this two-block area. Most of the 40 single family dwellings built in these two blocks were razed and the previous residential neighborhood is now a green space across the street from campus. Removal of the homes has changed the character of this area and although this cannot be prevented by the City, it is becoming a pattern that is being repeated along other edges of the campus.

Development Patterns:

The proposed Conditional Zoning District would result in development that promotes a logical, preferred and orderly development pattern.

Staff Comments:

Expansion of the University campus into this area is not supported by the *University Area Plan*. However, the rezoning site is contiguous to the existing campus and almost all housing has been razed. The viability of residential development on this site is a very unlikely possibility given that the University has acquired these properties.

Reasonableness/Public Interest:

An approval of the proposed Conditional Zoning District is considered reasonable and in the public interest.

In this case, staff suggests that the approval of the applicant's request can be considered to be reasonable and in the public interest because: 1) the site is adjacent to the High Point University Campus, 2) it is subject to the approval of Land Use Plan Amendment Case 13-01, and 3) conditions offered by the applicant to limit use of the site to parking only, restrict location of vehicular access to Montlieu Avenue, and provide for higher landscaping and screening of parking spaces near Barbee Avenue helps minimize impacts to the adjacent residential neighborhood.

Recommendation

The Planning and Development Department's comments in this report are based on policies contained in the City Council adopted Land Use Plan, Community Growth Vision Statement, *University Area Plan* (neighborhood area plan), Core City Plan, and from previous City Council zoning decisions (both approval and denials). These actions by City Council establish land use policy in guiding future development and zoning actions.

The University's request is consistent with the City's Community Growth Vision Statement that supports the continued growth of the City educational institutions. Furthermore, given that the University acquired the properties within the rezoning site and razed the houses, the City Council has limited alternatives to the proposal.

The *University Area Plan*, adopted in 2009, encouraged the University to establish a more specific timeframe, location and identification of their growth needs. Identifying those needs in advance allows the City time for advance planning for infrastructure (water, sewer, electric, stormwater, transportation) and avoid unnecessary delays in construction. It also allows for the City to establish relevant land use policies for the protection of the surrounding neighborhoods that are not in the path of campus expansion. These actions assist in creating stability in the neighborhoods that surround the University, which is in the interest of both the City and the University.

In regards to the requests, if the City Council determines this is an appropriate expansion of the University campus, then the Land Use Plan Amendment Case 13-01 should be approved. Once that request is approved, then it is reasonable for the City Council to approve the Zoning Case 13-08 with the conditions offered by the applicant.

Required Action

Planning and Zoning Commission:

Upon making its recommendation, the NC General Statutes require that the Planning and Zoning Commission place in the official record a statement of consistency with the City's adopted plans. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

City Council:

Upon rendering its decision in this case, the NC General Statutes require that the High Point City Council also place in the official record a statement of consistency with the City's adopted plans, and explain why the action taken is considered to be reasonable and in the public interest. This may be accomplished by adopting the statements in the Staff Analysis section of this report or by adopting its own statement.

Report Preparation

This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and Andy Piper, Senior Planner, and reviewed by Robert Robbins AICP, Development Services Administrator and Lee Burnette AICP, Director.